

Message Text

CONFIDENTIAL

PAGE 01 BERLIN 00046 101746Z

64

ACTION EUR-25

INFO OCT-01 ISO-00 IO-14 CIAE-00 DODE-00 PM-07 H-03 INR-10

L-03 NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 SAJ-01 OMB-01 ACDA-19 NIC-01 DRC-01 /140 W

----- 065412

R 101640Z JAN 74

FM USMISSION BERLIN

TO AMEMBASSY BONN

INFO SECSTATE WASHDC 2814

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USNATO 5707

C O N F I D E N T I A L BERLIN 46

E.O. 11652: GDS

TAGS: PGOV, WB, GE, GW

SUBJECT: FEDERAL LAW ON GDR REPRESENTATION

REF: A) BONN 194; B) STATE 4147 (NOTAL)

1. MISSIONS HAVE DRAFTED TRIPARTITELY FOLLOWING ORAL
REPLY TO SOVIET (BELETSKIY) PROTEST ON FRG LAW
PROVIDING PRIVILEGES AND IMMUNITIES TO GDR REPRESENTATION:
"WITH REFERENCE TO THE ORAL COMMUNICATION OF THE EMBASSY
OF THE USSR OF 3 JANUARY 1974 CONCERNING THE TAKING OVER
IN BERLIN OF THE FEDERAL LAW TO PROVIDE PRIVILEGES AND
IMMUNITIES FOR THE STAENDIGE VERTRETUNG OF THE GDR,
I WOULD LIKE TO MAKE THE FOLLOWING COMMENTS WHICH
REPRESENT THE VIEWS OF THE THREE POWERS.

"THE LAW TO WHICH THE SOVIET EMBASSY REFERRED IN ITS
COMMUNICATION OF 3 JANUARY WAS TAKEN OVER IN BERLIN
IN ACCORDANCE WITH ESTABLISHED PROCEDURES AND WAS,
AT THE SAME TIME, MADE THE SUBJECT OF AN ORDER OF THE ALLIED
KOMMANDATURA BERLIN UNDER WHICH THE RIGHTS AND RESPONSI-
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BERLIN 00046 101746Z

BILITIES OF THE ALLIED AUTHORITIES AND THE EXISTING

LEGAL PROVISIONS RELATING TO PRIVILEGES AND IMMUNITIES
IN FORCE IN BERLIN REMAIN UNAFFECTED.

"IN THESE CIRCUMSTANCES, THE THREE WESTERN POWERS DO
NOT ACCEPT THE CONTENTION OF THE SOVIET UNION THAT THE
TAKING OVER IN BERLIN OF THIS LAW MAY BE REGARDED AS
AFFECTING THE STATUS OF BERLIN OR IN ANY WAY CONTRAVENING
THE PROVISIONS OF THE QUADRIPARTITE AGREEMENT OF
3 SEPTEMBER 1971."

2. MISSIONS ALSO RECOMMEND THAT CHAIRMAN POLAD WHEN DELIVERING
ORAL COMMUNICATION COMMENT THAT, AS MR. BELETSKIY WELL KNOWS,
FEDERAL LAWS RELATING TO PRIVILEGES AND IMMUNITIES OF DIPLOMATS
AND OTHERS WITH SIMILAR FUNCTIONS WHO ARE POSTED IN THE FEDERAL
REPUBLIC HAVE BEEN TAKEN OVER IN BERLIN, SUBJECT TO
APPROPRIATE ALLIED KOMMANDATURA RESERVATIONS, FOR
MANY YEARS. THERE IS NO QUESTION OF THE LAW BEING
"ILLEGAL" AS THE SOVIETS ASSERTED IN THEIR COMMUNICATION.KLEIN

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC PRIVILEGES, INTERNATIONAL LAW, BERLIN QUADRIPARTITE MATTERS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 JAN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BERLIN00046
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: BERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740152/aaaabwow.tel
Line Count: 79
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A) BONN 194; B) STATE 4147 (NOTAL)
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 24 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <24 APR 2002 by boyleja>; APPROVED <27-Aug-2002 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: FEDERAL LAW ON GDR REPRESENTATION
TAGS: PGOV, WB, GC, GE
To: BONN
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005